

COUNTY OF KAUAI

Minutes of Meeting

OPEN SESSION

Board/Commission	LIQUOR CONTROL COMMISSION	Meeting Date	June 28, 2018
Location	Mo'ikeha Building, Liquor Control Conference Room 3	Start of Meeting: 4:00 p.m.	End of Meeting: 4:32 p.m.
Present	Chair William Gibson; Vice Chair Paul Endo; Members: Shirley Akita, Jean Iida, Maryanne Kusaka, Gerald Matsunaga, Gary Pacheco Also: Liquor Control Staff: Director Gerald Rapozo, Private Secretary Cherisse Zaima; Deputy County Attorney Cameron Takamura; Boards and Commissions Administrator Nicholas Courson		
Excused			
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Gibson called the meeting to order at 4:00 p.m. with 7 members present, constituting a quorum.
Roll Call	Director Rapozo called roll, noting 7 members were present.	
Approval of Agenda		Ms. Akita moved to approve the agenda. Mr. Pacheco seconded the motion. Motion carried 7:0.
Approval of Minutes	<u>APPROVAL OF MEETING MINUTES:</u> Open Session minutes of June 7, 2018	Mr. Pacheco moved to approve the Open Session minutes of June 7, 2018. Mr. Endo seconded the motion. Motion carried 7:0.
1.	<u>VIOLATION HEARING:</u> <u>HOKULEI VILLAGE TEXACO:</u> Violation of Rule 10.2 Manager on Duty, qualifications. Mr. Descoe Chentnik, Director of Retail Operations, was present; no counsel. The licensee admitted to the charges. Mr. Chentnik explained that it was a misunderstanding of the phrase 'active charge of the premises', noting that the cashier stepped right outside the door. They now understand that premises means inside the door. Once it	

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	<p>was determined what that meant, Mr. Chentnik immediately called a meeting with his managers and employees to make sure they understood that they need to be inside the premises, and should they need to go outside for any reason, the doors need to be locked.</p> <p>Commissioner Kusaka asked if it was their first offense to which Director Rapozo replied yes.</p>	<p>Mr. Matsunaga moved that a fine of \$250 be imposed. Mr. Pacheco seconded the motion. Motion carried 5:2 (Nay – Akita; Kusaka)</p>
<p>2.</p>	<p><u>PUBLIC HEARING:</u></p> <p><u>THE DOLPHIN POIPU:</u> Application No. 2018-098 was filed on May 21, 2018 for a transfer of Restaurant General License No. 2G-062 from The Dolphin Corp. dba The Dolphin Fish Market & Sushi Lounge to Sugahara Ranch LLC dba The Dolphin Poipu located at 2829 Ala Kalanikaumaka Street, Suite A-100, Building A, Kōloa, Kauai, Hawaii.</p> <p>Bryson Sugahara, owner, was present.</p> <p>Commissioner Matsunaga asked to clarify that they plan to open for only three and a half hours each day, from 5:30 p.m. to 9:00 p.m. Mr. Sugahara explained that those hours would be for restaurant service with bar, but the fish market, which does not sell alcohol, is open from 10::00 a.m. to 7:00 p.m. No lunch is served.</p> <p>Commissioner Kusaka asked whether this is the fish market located beneath Eating House 1849 to which Mr. Sugahara replied yes. She also asked if they were associated with the Hanalei Dolphin restaurant to which Mr. Sugahara replied not anymore; he is taking over the Poipu restaurant, but the Hanalei Dolphin is still open and operating under different ownership.</p> <p>The public hearing was closed.</p>	<p>Mr. Pacheco moved to approve Application No. 2018-098. Ms. Iida seconded the motion. Motion carried 7:0.</p>

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3.	<p><u>DIRECTOR’S REPORTS:</u></p> <p>a) <u>INVESTIGATOR’S REPORTS:</u></p> <p>b) <u>INCOMING COMMUNICATIONS:</u></p> <p>(1) From Remy Cointreau USA, Inc.</p> <p>(2) From Hawaiian Airlines</p> <p>(3) From Avid Marketing Group</p> <p>(4) Disturbance Report from Portofino Restaurant</p> <p>c) <u>OUTGOING COMMUNICATIONS:</u></p> <p>(5) To Remy Cointreau USA, Inc.</p> <p>d) <u>EMPLOYEES IN LICENSED PREMISES:</u></p> <p>Managers and Assistant Managers – See Attachment “A”</p> <p>e) <u>ACTIONS OF THE DIRECTOR:</u></p> <p>(1) 7-11 HANAMAULU</p> <p>(2) 7-11 LIHUE</p> <p>(3) WRANGLER’S RESTAURANT</p> <p>(4) WEST KAUAI BUSINESS AND PROFESSIONALS ASSOCIATION</p> <p>(5) WESTIN PRINCEVILLE FOUNDATION</p> <p>(6) NATIONAL TROPICAL BOTANICAL GARDEN</p> <p>(7) WOMEN IN THEATER</p> <p>f) <u>INFORMATIONAL MATTERS:</u></p>	

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		Mr. Pacheco moved to accept items 3(a) through 3(f). Ms. Iida seconded the motion. Motion carried 7:0.
	There was a discrepancy between the agenda that was posted, and the agenda that was provided to the commissioners at the meeting. The Commission requested a recess to clarify the discrepancy. Staff provided the correct agenda document to the commissioners.	The meeting was recessed at 4:14 p.m. The meeting resumed at 4:19 p.m.
4.	<u>RENEWAL OF LIQUOR LICENSES</u> : See Attachment “B”	Mr. Pacheco moved to approve the renewal of liquor licenses. Ms. Iida seconded the motion. Motion carried 7:0.
5.	<u>RENEWAL OF ANNUAL PERMITS</u> : See Attachment “C”	Mr. Pacheco moved to approve the renewal of annual permits. Mr. Endo seconded the motion. Motion carried 7:06
6.	<u>CHANGE IN CORPORATE OFFICERS</u> : a) <u>ALOHA PETROLEUM, LTD.</u> : Removal of Robert Williams Owen as Chairman and Director, and Robert Bradley Williams as Vice President and Director; Addition of Thomas Alan Grimes as Director, and Robert Wai Fung as Director. b) <u>THE CLUB AT KUKUIULA</u> : Removal of Thad Bond as 2 nd Vice President and Secretary. c) <u>LONGS DRUG STORES CALIFORNIA, LLC</u> : Designation of corporate representatives: Thomas S. Moffatt, President; Carol A. DeNale, Senior Vice President and Treasurer; Jeffrey E. Clark, Assistant Treasurer; Linda M. Cimbron, Assistant Secretary. d) <u>YOUNG’S MARKET</u> : Withdrawal of Jason Peter Wooler as Executive Vice President General Manager California, and Admission of Hugh Pearson Duncan as Executive Vice President General Manager Hawaii. e) <u>PRINCEVILLE MAKAI GOLF COURSE LLC</u> : Addition of Robert	

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	<p>R. Hill as President of the General Partner; Removal of Gregg Rademacher as President of the General Partner.</p> <p>f) <u>KAWAIOLOA DEVELOPMENT LLP</u>: Removal of Yoshiya Toyama as Auditor; Addition of Hidetaka Hashimoto as Inspector.</p> <p>g) <u>SAFEWAY INC.</u>: Removal of Bradley Stuart Fox as Vice President, Treasurer, and Assistant Secretary.</p> <p>h) <u>CHOY VILLAGE INC.</u>: Addition of Edwin Choy as Director.</p> <p>i) <u>LEMON BASIL CORPORATION</u>: Addition of Edwin Choy as Director.</p> <p>j) <u>BLT, INC.</u>: Removal of Craig Hayashi as President; Addition of Bryan Hayashi as President and Treasurer.</p> <p>k) <u>RY-10, INC.</u>: Removal of Michael Webber as President.</p> <p>l) <u>KAUAI KOOKIE LLC</u>: Removal of Esther Kawakami Williams as President and Director, Aimee Ida as Treasurer and Director, and Alice Kawakami as Director</p>	<p>Ms. Iida moved to accept the change in corporate officers. Mr. Pacheco seconded the motion. Motion carried 7:0.</p>
<p>7.</p>	<p><u>ALCOHOL PURCHASE PERMIT</u>:</p> <p><u>NATIONAL TROPICAL BOTANICAL GARDEN</u>: Request for permit to purchase Ethanol.</p> <p>Commissioner Kusaka asked why this is listed as an alcohol permit, when they are asking to purchase Ethanol. Director Rapozo replied that Ethanol is a form of alcohol. There are similar permits issued to Wilcox Hospital, and Global Algae Innovations.</p>	<p>Mr. Pacheco moved to approve the alcohol purchase permit. Ms. Akita seconded the motion. Motion carried 7:0.</p>
<p>8.</p>	<p><u>NEW LIQUOR LICENSE</u>:</p> <p><u>CHICKEN IN A BARREL</u>: Application No. 2018-152 was filed on June 14, 2018 by Barrel and BBQ, LLC dba Chicken In A Barrel for a New Restaurant General (live entertainment with dancing) license at 4-484 Kūhiʻō Highway, Kapaa, Kauai, Hawaii.</p>	<p>Mr. Endo moved to accept Application No. 2018-152 for publication and public hearing. Mr. Endo seconded the motion. Motion carried</p>

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		7:0.
9.	<p><u>TRANSFER LIQUOR LICENSE:</u></p> <p><u>AVALON GASTROPUB:</u> Application No. 2018-175 was filed on June 13, 2018 for a transfer of Restaurant General License No. 2G-004 from Monico's Taqueria LLC dba Monico's Taqueria to AG Avalon LLC dba Avalon Gastropub located at 4-356 Kūhi'ō Highway, Kapaa, Kauai, Hawaii.</p>	Ms. Akita moved to accept Application No. 2018-175 for publication and public hearing. Mr. Pacheco seconded the motion. Motion carried 7:0.
10.	<p><u>TEMPORARY LIQUOR LICENSE:</u></p> <p><u>AVALON GASTROPUB:</u> Application No. 2018-235 was filed on June 13, 2018 by AG Avalon LLC dba Avalon Gastropub for a temporary liquor license to operate a Restaurant General license at 4-356 Kūhi'ō Highway, Kapaa, Kauai, Hawaii.</p>	Ms. Akita moved to approve Application No. 2018-235 for a temporary liquor license. Ms. Kusaka seconded the motion. Motion carried 7:0.
11.	<p><u>VIOLATION REPORT:</u></p> <p><u>OASIS ON THE BEACH:</u> Violation of Rule 7.8 Manager on Duty, qualifications.</p>	Mr. Pacheco moved to call licensee for Violation Hearing. Mr. Matsunaga seconded the motion. Motion carried 7:0.
Executive Session	<p><u>EXECUTIVE SESSION:</u></p> <p>Pursuant to Hawai'i Revised Statutes §§92-4 and 92-5 (a) (2) (4), the purpose of this executive session is to consider the evaluation of an officer or employee where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held, and to consult with the Commission's legal counsel on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities as</p>	Ms. Akita moved to enter into executive session. Ms. Kusaka seconded the motion.

SUBJECT	DISCUSSION	ACTION
	they may relate to this item, deliberate and take such action as appropriate.	Motion carried 7:0.
Return to Open Session		The meeting resumed in Open Session at
Announcements	Next Scheduled Meeting: Thursday, July 19, 2018 – 4:00 p.m., Mo’ikeha Building, Meeting Room #3.	
Adjournment		Chair Gibson adjourned the meeting at 4:32 p.m.

Submitted by: _____
Cherisse Zaima, Private Secretary

Reviewed and Approved by: _____
William Gibson, Chair

() Approved as circulated.

() Approved with amendments. See minutes of _____ meeting.